बोलने वाले हैं वह अपने विचार उन मुद्दों पर रखेंगे। इन्हीं शब्दों के साथ मैं इकबाल का एक शेर कहते हुए अपनी बात खतम करता हूं-

हैं राम के वजूद पर हिंदुस्तान को नाज।
अहले पतन उनको इमामे हिंद कहते हैं।

धन्यवाद, महोदया। ....(**व्यवधान**)...

THE DEPUTY CHAIRMAN: Now. the Minister of Law is here. Mr. Panda has to second the Motion..*(Interruptions)...* Let Mr. Panda second the Motion first, because that is the procedure. Mr. Panda, please come to the front seat, because seconding the Motion from the backbenches does not seem proper.

SHRI PRANAB MUKHERJEE: He can just second the Motion, and make his speech later.

THE DEPUTY CHAIRMAN: Mr. Panda, you please second the Motion now and make your speech later on. Now. please second the Motion.

SHRI B.J. PANDA (Orissa): Thank you, Madam Deputy Chairperson, for giving me this opportunity to second the Motion of Thanks on the President's Address. As directed by you Madam, I will yield the floor for the statement from the hon. Law Minister and resume my speech thereafter.

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RE: SUPREME COURTS JUDGMENT ON SYMBOLIC PUJA AT AYODHYA

THE DEPUTY CHAIRMAN: Now, the Law Minister.

SHRI GHULAM NABI AZAD: Madam, I have a point to make. I understand that in the other House, the Members of Parliament desired that no other person than the Prime Minister should make the statement. I am sure this House is no less than the other House? and there cannot be two standards for the two Houses. I think, the hon. Prime Minister. *..(Interruptions)...*

SHRI NILOTPAL BASU: *Yes..(Interruptions)...*

SHRI SANGH PRIYA GAUTAM: It was agreed to by the House that hon. Minister of Law would make the statement..*(Interruptions)...* It was agreed to by the whole *House...(Interruptions)...*

SHRI GHULAM NABI AZAD: No, no. Let the Law Minister say that it is true..*(Interruptions)*...It is democracy. But we would also like the hon. Prime Minister to make the statement..*(Interruptions)...*

SHRI SANGH PRIYA GAUTAM: You cannot overrule.. *(Interruptions)...*

SHRI GHULAM NABI AZAD: The hon. Prime Minister has been interacting with all the concerned people. I think he is the right person to come here and give the statement on this. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I gave you the floor and you made the point. As I was hearing, I think the demand was that the Law Minister should come. Now the Law Minister has come. *...(Interruptions)...*

SHRI GHULAM NABI AZAD: We wanted a statement from the Government. *...(Interruptions)...*There has to be parity between the two Houses.. *(Interruptions)...*

SHRI SANGH PRIYA GAUTAM: You told that the House should summon the Law Minister, and the Law Minister has come. ... *(Interruptions)...*

उपसभापति : एक मिनट । अगर आप मुझे बोलने की अनुमति दें तो मैं कुछ कहूं। हम कभी ...(**व्यवधान**)...

SHRI GHULAM NABI AZAD: Madam, there is no disrespect as such against the Law Minister. But, now, the demand is that the Prime Minister is the proper person to make a statement on this issue. He is the final authority.... *(Interruptions)...* We have seen in the past *...(Interruptions)...*

SHRI S.S. AHLUWAUA (Jharkhand): The Prime Minister is the Leader of the other House *...(Interruptions)...The* Leader of the House in this House *...(Interruptions)...*

SHRI GHULAM NABI AZACh We have seen in the past Ministers giving different statements. I think the Prime Minister should make a statement. He should be the final authority to state the facts. *...(Interruptbns)...*

THE DEPUTY CHAIRMAN: One thing that I would like to say is that we do not refer to what happens in the other House. This is our tradition. *...(Interruptions)...*

श्री जनेश्वर मिश्र : मेडम, एक मिनट।

उपसभापति : मेरी बात आप एक मिनट सुन लीजिए, मैं आपकी बात तो रोज सुनती हूं। सवाल यह है कि हमारह यहां की कुछ परम्परांए हैं और उन परम्पराओं का हम पालन करते हैं । मैं इससे आपको नहीं रोक रही कि आप किसको चाहते हैं, किसको नहीं चाहते, वह अलग बात है। मगर उस हाऊस में क्या हो रहा है और यहां क्या हो रहा है, ऐसी एक परम्परा बनी हुई है कि हम उस हाऊस में क्या हो रहा है, उसका रिफरेंस नहीं करते। आप प्रधान मंत्री जी को सुनना चाहते हैं, सरकार जो कहना चाहेगी, वह कहेगी। ...(**व्यवधान**)...

THE MINISTER OF RURAL DEVELOPMENT (SHRI M. VENKAIAH NAIDU) : Madam, *...(Interruptions)...*

श्री जनेश्वर मिश्र : मैडम, आप अगर इजाजत दें तो मैं कुछ कहूं।

SHRI M. VENKAIAH NAIDU: I am not responding. *...(Interruptions)...*

श्री जनेश्वर मिश्र : वेंकैया जी, आप तो मिनिस्टर हैं, आपकी बात तो हम रोज सुनते हैं, हम लोग तो मामूली मैंम्बर हैं, हमको तो सुनिए पहले । आप तो इस समय राज चला रहे हैं।

मैडम, पहले हमको सुन लीजिए।

उपसभापति : ठीक है, चलिए पहले आप बोल दीजिए। आप इस हाऊस के बहुत सीनियर मैंम्बर हैं, बाद में वे रिस्पॉड कर देंगे।

श्री जनेश्वर मिश्र : मैडम, माननीय प्रणब मुखर्जी साहब ने, ऐटॉर्नी जनरल ने सुप्रीम कोर्ट में जो प्ली लिया था, उस पर ऐतराज किया और सब लोगों ने उनका समर्थन किया। तब नेता सदन ने कहा कि मैं कुछ भी नहीं जानता क्योंकि मैं वहां था नहीं और मैं लॉ मिनिस्टर से कहूंगा कि वे आकर बयान दें, बात यहां तक हुई थी । हम लोग तब शांत हो गए और फिर राष्ट्रपति महोदय के अभिभाषण पर चर्चा होने लगी। मैं नहीं मानता कि लॉ मिनिस्टर प्रधान मंत्री

से लेस होता है या कोई भी मिनिस्टर किसी से लेस होता है या मोर होता है और मैं यह भी नहीं मानता कि यह सदन उस सदन से लेस है या मोर है, मैं मानता हूं कि रईक्वल स्टेट्स है। प्राइम मिनिस्टर फर्स्ट ऐमंग दि ईक्वल है, यह कहा जाता है और माना भी जाता है प्रजातंत्र में, केबिनेट सिस्टम में। उस सदन में प्रधान मंत्री इस पर वक्तव्य दें ...(**व्यवधान**)... लोग यह मांग कर रहे हैं और इस पर सदन की कार्रवाई रूकी है। सवाल यह है कि दो दिनों के बाद 15 तारीख आने वाली है। लॉ मिनिस्टर केवल ऐटार्नी जनरल साहब के तर्क पर सफाई दे सकते हैं लेकिन कल नहीं तो परसों जा आफत आने वाली है , उसकी ओवरऑल जिम्मेदारी प्रधान मंत्री ...(**व्यवधान**)...

श्री संघ प्रिय गौतम : काहे को बुला रहे हो आफत।

श्री जनेश्वर मिश्र : नहीं आए तो अच्छी बात है। ...(**व्यवधान**)...

उपसभापति : आप एक मिनट कृपया चुप रहिए। ...(**व्यवधान**)...

श्री भारतेन्दु प्रकाश सिंहल (उत्तर प्रदेश): कोन सी आफ़त आने वाली है, यह तो बतया जाए। ...(**व्यवधान**)... क्या होने वाला है कल ? ...(**व्यवधान**)...

श्री जनेश्वर मिश्र : अभी हम इस सदन क मार्फत देश को गुमराह करने की हालत में नहीं है कि कौन-सी आफत आएबी, यह बताएं, लेकिन आने वाले दो दिन बड़े ही इम्तिहान के दिन हैं। यह लॉ मिनिस्टर का विषय नहीं हो सकता, गृह मंत्री जी इस पर थोड़ा-बहुत कह सकते हैं या प्रधान मंत्री ओवरआल बात कह सकते हैं। इसलिए हम समझते हैं कि आजाद साहब ने जो बात उठाई है, उसको देखते हुए आप नेता सदन से कहें कि प्रधान मंत्री जी, गृह मंत्री जी, गृह मंत्री जी यहां आंए और हम लोगों को बताएं कि अब क्या होगा। यह जो तर्क दिया गया है, उससे थोड़ा संशय तो मन में आएगा ही। हम जसवंत सिंह जी पर संशय नहीं कर रहे हैं, वे निजी तौर पर ले लेते हैं, मैं उनकी बहुत इज्जत करता हूं, जब लोक सभा में हम इनके पीछे बैठते थे, तब भी हम इनकी बहुत इज्जत करते थे। वे इसे निजी तौर पर न लिया करें लेकिन थोड़ा संशय हो जाता है कि सरकारी वकील ऐसा बोल रहे हैं। इससे मन में संशय होता है, इस सदन के सदस्यों के मन में संशय होता है और जो भुक्तभोगी हैं, उनके मन में संशय होता है। इसलिए हम निवेदन करेंगे कि प्रधानमंत्री जी यहां आकर इस संबंध में अपना बयान दें।

उपसभापति : आपने जो मुद्दा यहां सदन के सामने रखा है, मैं सुबह हाऊस में नहीं थी लेकिन जो आपने रेफरेंस दिया प्रणब मुखर्जी साहब की बात का, मैं बहुत सीमित बात कर रही हूं, मैं प्रधानमंत्री को इसमें नहीं डाल रही हूं, एक सीमित मुद्दा था कि ऐटॉर्नी जनरल ने क्या कहा, उस बारे में लॉ-मिनिस्टर को जवाब देने दीजिए, फिर आप जब चाहें प्राईम-मिनिस्टर को बुला लिया जाएगा। अभी कम से कम लॉ-मिनिस्टर उनके सवाल का जवाब देने की स्थिति में तो हैं। यदि आप चाहते हैं तो 15 तारीख से पहले प्रधानमंत्री को भी बुला लिया जाएगा।

श्री जनेश्वर मिश्र : एक ही दिन तो बचता है मैंडम।

उपसभापति : कल का दिन है, आज का पूरा दिन हैं, हमारा हाऊस अभी बैठा हुआ हैं। अभी यहां पर पार्लियामेंटरी अफेयर्स मिनिस्टर बैठे हुए हैं, लीडर ऑफ दि हाऊस बैठे हुए हैं, आपकी जो मांग है, उसे मैं कन्चे कर रही हूं। लेकिन सुबह जो सवाल प्रणब जी ने उठाया था, उप पर लीडर ऑफ दि हाऊस ने जो आश्वासन दिया था कि लॉ-मिनिस्टर इस बारे में स्पष्टीकरण देंगे, तो अब लॉ-मिनिस्टर यहां आए हुए हैं, उन्हें कम से कम प्रणब जी के सवाल का जवाब तो देने दीजिए।

SHRI GHULAM NABI AZAD: I don't think we are going to do that.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): Why? You have asked for it.

SHRI GHULAM NABI AZAD: We have requested for the Prime Minister.

SHRI PRAMOD MAHAJAN: You are making that request just now. I will process that request. But let me comply with the earlier request. The hon. leader of your party has asked the Law Minister to come to this House and explain the whole thing. Let him first explain it. You have made one more request. That can be dealt with at a later stage. *...(Interruptions)...*

SHRI MANOJ BHATTACHARYA (West Bengal) : An assurance was given by the Leader of the House that the Law Minister would be asked to come and explain the position. *...(Interruptions)... But* the situation is not answering the query that has been raised by Shri Pranab Mukherjee. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: You first listen to the Law Minister. You may not withdraw your demand-to call the Prime Minister. Let that demand stand. But let him answer what has happened in the Court.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): Thank you, Madam. Madam, the hon. Supreme Court has passed an interim order today in a Writ Petition filed by Shri Aslam Bhure *Vs.* Union of India. The Court has passed interim orders, directing the maintenance of *status quo* on the acquired land, and disallowing puja in any form. The Government is fully committed to the implementation of the orders of the hon. Supreme Court, and the same shall be fully complied with. The Government had earlier taken a stand that a decision to allow puja or not,

could depend on the orders passed by the Supreme Court in the hearing oh 13* March, 2002. The Attorney-General of India appeared on behalf of the Government of India, and, on being asked by the Court about the Government's stand, stated: "On the Government's reading and interpretation of the judgment in Farooqi's case, temporary user of the undisputed land for performing a brief puja was not *per se* prohibited, if the puja was performed under well-defined conditions and restrictions. Such a puja would not violate the orders of the Supreme Court, which as per our understanding, restricted *status quo* to the disputed land." He suggested several restrictions and safeguards that would be imposed. The Attorney-General also informed that the security personnel in sufficient numbers were deployed to take care of any law and order situation. He also stated that it would be clarified that if the puja was permitted, the performance of puja would not create any right or interest in favour of anybody or person. The Supreme Court expressed the view that no religious activity of any kind or transfer of land to any person shbuld be permitted, till the disposal of the petition. The Government fully respects the orders and the same shall be fully complied with.

THE LEADER OF THE HOUSE (SHRI JASWANT SINGH): Madam, I have to add one more thing to what my hon. Colleague has stated, because I had also asked the hon. Attorney-General, as some comments were made - I cannot recollect exactly when they were made, in this House or elsewhere, - whether any kind of affidavit was filed by the Attorney-General on behalf of the Government. I had sought this clarification from the Attorney-General, because, as I said, I was not present in the Court, and I did not wish to say anything unless I had ascertained it. I have received from the Attorney-General a confirmation -

> "No affidavit or written submission was filed on behalf of the Government, by the Attorney-General. It was only on being asked by the Court that I submitted the Government's reading and interpretation of the Supreme Court's Judgment in the Farooqi case."

- which the hon. Law Minister has just pointed out. This, I had assured - Madam, you were not there, - my distinguished colleague-and he is a senior leader of the Congress Party - who raised it in this House in the morning. Quite rightly, he expressed his concern and asked, "Did the

Government file any affidavit or did we make any averment, which was a departure from what the Government has said?" Maintenance of the *status quo* is our commitment; one. Two; whatever the Court rules, we are bound by it, legally, maintenance of the *status quo,* which is the Farooqi case's interpretation. All that the Attorney-General did was to give our interpretation, to maintain the *status quo.* If, however, the Court rules, "No; nothing is to be permitted - disputed, undisputed; religious, irreligious; any kind of activity", fine. This is what I said in the morning, "No activity shall be permitted, religious or irreligious." But I cannot guarantee, Madam, that the municipal functions of cleaning the land will not take place. That might take place, but that is about all. I don't think there is any ambiguity, whatsoever, in the Government's position. We are bound by what we have said; we are bound by what the Court has ruled; we are bound to see to it that on the 15th - which is cited by the hon. Member as some kind of a defining date - there is no violation and no departure from this.

SHRI PRANAB MUKHERJEE: Madam, I want to submit-because, repeatedly, the Leader of the House has stated that there has been no ambiguity - that there would have been no ambiguity if a new interpretation of the use of land, undisputed land, had not been given. If I have heard the Law Minister correctly, what he has said is:

> "While in course of argument in the Court, it was pointed out by the Attorney-General..."

- and the Attorney-General is speaking on behalf of the Government, and, therefore, that is the Government's view-till this morning, it was the view of the Government -

> "That having some sort of symbolic puja on the undisputed land, according to the interpretation of the Government, is perfectly within the right and purview of the Farooqi-Judgment."

But that was not the impression. I may be naive, so far as the legal interpretation is concerned, but many of us, sitting on this side, were listening to the statements of the Government, day-in and day-out, that so far as this issue is concerned - and it has been very correctly pointed out by Mr. Pillai and others - even in the Presidential Address delivered to both Houses of Parliament, it was clearly pointed out - the Government had only

two courses. One course of action was through negotiations and arriving at an acceptable settlement by both the parties; the second was through the verdict of the Court. In order to obtain the verdict of the Court, by arguing the case in the Court, this morning, the Attorney-General has interpreted whether 94 verdict of SC can permit symbolic puja on undisputed land whether the Court has accepted it or not, is a different story. The Court has rejected it and we feel happy at this verdict. Now, you have no option. It is obvious-that you are bound by the decisions of the Supreme Court. But, before that, you have this interpretation which was not conveyed, at any stage, during all these days when tlhe debate was going on.

THE DEPUTY CHAIRMAN: Mr. Pillai. *...(Interruptions)...* I am allowing Mr. Pillai.

SHRI S. RAMACHANDRAN PILLAI: Madam, this matter was discussed in this House. This matter was also discussed in the all-party meeting called by the Prime Minister. In that meeting, we were given an impression that *status quo* would be maintained. *Status quo* means there will not be any change so far as the acquired land is concerned. Now, on behalf of the Government, the Attorney-General has made a plea before the Supreme Court that a symbolic puja could be done on the acquired land. So, this is a clear violation of the assurance given in the all-party meeting and in the House. It is for the Prime Minister to come here and explain to us as to why this has happened. The Leader of the House and the Law Minister have explained what really has happened in the Supreme Court. Why were these assurances violated by the Government? That is the issue. Therefore, the Prime Minister should come here and explain why the Government had violated these assurances.

SHRI M.P. ABDUSSAMAD SAMADANI : Madam, with due respect to the Leader of the House, I would like to know from him: What is the difference between an affidavit and an argument? After all, the Attorney-General is a representative of the Government. Whatever is spoken by him in the court of law represents the view of the Government and reflects the intention of the Government. We are all happy that the Supreme Court has given its judgement. Good sense has prevailed and the country has been saved. Secondly, the Government kept on repeating that it was neutral and that it would not side with any party. But going to the court and arguing in favour of puja, reflects the double standard on the part of the Government.

It is very unfortunate. It is a very serious issue. ...*(Interruptions)*... The hidden agenda has become the Government's agenda. As the senior leaders have already said, we request the Prime Minister to explain the situation.

SHRI N. K. PREMACHANDRAN : Madam, when this issue was discussed on Monday, I had put a very specific question: What would be the position of the Government when the interlocutory application come up for hearing in the Supreme Court? The Government remained silent. Today, the Government, very deliberately and cleverly, has taken a stand in the apex court that the Farooqi - judgement has been interpreted in a different way so that a Bhoomipuja or a symbolic Puja could be allowed. So, the intention of the Government is very clear that the VHP should be allowed to perform the Puja. The assurances given by the Government to the House and to the nation have been violated by interpreting the 1994 Farooqi - judgement in a different way that if a Boomipuja or a symbolic puja was conducted there the *status quo* would not be affected. So, this is a clear violation of the assurances given by the Government. Therefore, the Prime Minister should come here and explain this matter.

उपसभापतिः रमा शंकर कौशिक जी आप बोलिये। आपके बाद संघप्रिय गौतम जी बोलेंगे।

श्री रमा शंकर कौशिक : मैडम, यहां पर प्रश्न विश्वसनीयता का है। जब सरकार दो तरह की बोली बोल रही है तो हम उस पर विश्वास कैसे करें? सुप्रीम कोर्ट में अटार्नी जनरल ने सरकार की ही बोली बोली है, अपनी तरफ से, अलग से उन्होंने कुछ नहीं कहा है। सरकार ने जो निर्देश उन्हें दिए हैं, उन्हीं के आधार पर उन्होंने अपनी बात कोर्ट में कही है। सरकार स्टेटस-को मेनटेन करने की बात कह रही है, इसको हम कैसे मान लें। अगर स्टेटस-को मेनटेन करेन की बात है तो सरकार ने जो मंशा कोर्ट में जाहिर की है, वह जाहिर नहीं होनी चाहिए थी और इसमें सरकार को एकदम तटस्थ रहना चाहिए था। लेकिन सरकार की जो मंशा है वह उन्होंने कोर्ट में बता दी है कि वे वहां पर शिला पूजन कराना चाहते हैं। ऐसी स्थिति में, सवाल यह है कि क्या वहां पर सुरक्षा हो पायेगी क्योंकि वहां पर सेना को नहीं लगाया गया है । हम तो यह मांग कर रहे हैं कि वहां पर सेना को तैनात किया जाए और स्टेटस-को मेनटेन किया जाए। इन सारी बातों के बारे में माननीय प्रधान मंत्री जी को हाउस में आकर स्पष्टीकरण देना चाहिए।

श्री संघ प्रिय गौतम : उपसभापति महोदय, अटॉर्नी जनरल ने सुप्रीम कोर्ट में क्या कहा, किस संदर्भ में कहा, न इन्हें मालूम है और न हमें। ...(**व्यवधान**)...

श्री दीपांकर मुखर्जी : सबको मालूम है। ....(**व्यवधान**)...

एक माननीय सदस्य : आप क्या बात कर रहे हैं? ...(**व्यवधान**)...

श्री संघ प्रिय गौतम : पहले सुन लीजिए। ...(**व्यवधान**)...

उपसभापति : उन्हें सुन लीजिए। ...(**व्यवधान**)...

श्रीमती सरला माहेश्वरी : अटॉर्नी जनरल आपसे पूछ रहे हैं कि ...(**व्यवधान**)...

श्री संघ प्रिय गौतम : लेकिन कानून मंत्री ने जो बताया कि क्या कहा, किस संदर्भ में कहा, हम उसको मानते हैं। अपनी तरफ से अटॉर्नी जनरल ने कुछ नहीं कहा। ...(**व्यवधान**)... जब सुप्रीम कोर्ट ने स्वयं पूछा कि 1994 के सुप्रीम कोर्ट के फारूखी जजमेंट के आधार पर क्या यह कार्यवाही हो सकती है तब अटॉर्नी जनरल ने कहा कि यह हो सकता है लेकिन इन इन शर्तो के साथ। इसलिए सुप्रीम कोर्ट ने खुद पूछा और उस संदर्भ में पूछा जिसका जवाब दिया गया था, जो बिल्कुल सही है। अपनी तरफ से अटॉर्नी जनरल ने कुछ नहीं कहा इसलिए यह निरर्थक बात कह रहे हैं।

SHRI NILOTPAL BASU : Madam, we have a very simple question. It is the Prime Minister who gave an assurance to the nation that the Government would do everything possible to maintain the *status quo* and to abide by the Court's decision..*(Interruptions)...*

SHRI B.P. SINGHAL: Has this been disturbed? It still stays.. *(Interruptions)...*

SHRI NILOTPAL BASU: Madam, we understand that the Attorney-General was attending the Court on a *suo motu* basis. He was not asked by the Court to do so. He appointed himself as the *amicus curiae*. On the basis of whose decision was it done? Is it the act of a secular Government which swears by the Constitution? The ink has not yet dried on the President's Address, and the Government has violated whatever assurances have been, given by no less a person than the Prime Minister himself. Therefore, if the Prime Minister comes and gives his statement, then, on the basis of that, we can have a discussion and run the House. Otherwise, it is impossible for us to continue with the proceedings of the House. This is the minimum thing which has to be done. We don't accept.. *(Interruptions)...*

श्री संघ प्रिय गौतम : वाक आउट करना चाहते हो तो कर जाओ। ...(**व्यवधान**)... आप वाक आउट करने का बहाना क्यों बना रहे हैं?...(**व्यवधान**)...

SHRI NILOTPAL BASU: We don't want to hear the Law Minister...*(Interruptions)*...There is no point in hearing the Law Minister because he has acted behind the back of Parliament. The Government has gone to the Court for taking permission for the puja. He has acted behind the back of the NDA, behind the back of Parliament. Let the NDA Members say whether there was any NDA meeting on this issue. Let them say whether it was their collective decision...*(Interruptions)* It is the NDA Agenda on which you are running the Government. And, now, you are acting on the basis of the VHP Agenda. This country has elected an NDA Government, and this Government should run on the basis of the NDA Agenda. If the Government violates the NDA agenda, we are not going to accept that...

THE DEPUTY CHAIRMAN: Now, you please sit down. We are not making this a battleground. Okay; we are putting our opinion..*(Interruptions)*... आप भी बैठ जाइए। ...(**व्यवधान**)..... थोड़ा टाइम लगता है बैठने में। यहां से वहा तक आवाज जाने में समय गलता है। अभी इस पर जो भी चर्चा हुई – आप प्रधान मंत्री को बुलाना चाहते हैं तो यह उस हाऊस का अधिकार है कि वह प्रधान मंत्री को बुलाएं या किसी और को बुलाएं किन्तु वह आंए या न आंए, यह उनका अधिकार है। इस पर काफी विस्तार से चर्चा हुई है। मैंने कोशिश की कि जो लोग लॉ जानते हैं,वे सब इस पर बोलें। मैं लॉ नहीं जानती। हमारे फॉर्मर चीफ जस्टिस ऑफ सुप्रीम कोर्ट यहां बैठे हैं, अगर वह इस पर बोलना चाहें तो उनको भी बोलने की इजाजत दे सकती हूं।

श्री नीलोत्पल बसु : मैडम, यह लीगल बात है ही नहीं । It is a political stand of the Government, and no less a person than the Prime Minister should explain the position. They have violated the President's Address. They have violated the NDA Agenda. This is not a question of any legal battle here. I agree with the hon. Leader of the House that it should not be converted into a court *...(Interruptions)...* It is a question of the policy of the Government, and the policy was made known to us through the President's Address. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: What do you want?

SHRI NILOTPAL BASU: Madam, this is a political question and the political chief of this Government has to come and reply, मैडम, यह कोई लीगल बैटल है ही नहीं । यह तो राजनीतिक मसला है और राजनीतिक रूप से इस सरकार का जो सबसे बड़ा मुखिया है, वह आकर स्पष्टीकरण दें। ...(**व्यवधान**)... his is absolutely a political question. I totally agree with the Leader of the House when he says that

this should not be converted into a law court. *...(Interruptions)...*Let the Prime Minister come and make a statement. *...(Interruptions)...We* cannot accept it. *...(Interruptions)...* Madam, we cannot accept it.

उपसभापति : नीलोत्पल बसु जी, जरा बैठिए। Please sit down. I just wanted to ask you one very simple question. Mr. Pranab Mukherjee put the question in the House, and it is the property of the House now; it is there on record. Now, your demand is that the Prime Minister should come. Agreed. Ok. I have no problem in conveying your request to the Leader of the House and the Government. But, in all fairness, I must say that many legal things were discussed in this House. You say it is a political issue. I don't want to add my views to it. But, as the Member from the Muslim League put it, there is a difference between an affidavit and a *suo motu* statement. So, let him, at least, answer that much and then you can put your demand. *...(Interruptions)...*

SHRI NILOTPAL BASU: No, Madam. The nation was given an assurance by the Prime Minister and the Prime Minister has to clarify. Why was that violated? Why was the position taken by the Prime Minister reversed by the Government? *...(Interruptions)...*

SHRI DIPANKAR MUKHERJEE: Madam, it is a question of the credibility of the Government. As it is, whatever the Law Minister has said, this Government does not have any credibility before this House. This House cannot..*(Interruptions)...* unless the credibility of this Government is restored by the Prime Minister. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: Madam, he is making a sweeping allegation against the Government. It is not fair.

SHRI DIPANKAR MUKHERJEE: It is not the decision - I challenge this Government - of the NDA Government. It is a decision of the BJP Government. Let the NDA allies say - they are a part of this Government -that they are a part of this decision. *...(Interruptions)...*This is a question of credibility. ... *(Interruptions)...*

SHRI NILOTPAL BASU: Let Mr. Vlrumbi say; let Mr. Panda say. ... *(Interruptions)...* Please get up and say that this is your decision to send the Attorney General. In what capacity has he gone? *...(Interruptions)...*

3.00 P.M.

THE DEPUTY CHAJRMAN: Nilotpal Basu, are we discussing the NDA Government or the Supreme Court's judgment?

SHRI DIPANKAR MUKHERJEE: The credibility of the Government!

THE DEPUTY CHAIRMAN: The credibility of the Government is a different thing, but what the NDA does is not this House's problem. I can understand that your demand is that the Prime Minister should come to the House. But I was only requesting - just to keep our record straight - that, as one or two Members did mention about the legality of it, let the Law Minister say a word about it, and then, if you want, I can adjourn the House.

SHRI NILOTPAL BASU: Madam, he can supplement the legal point. ..^*Interruptions)...* But this is a political question and this has to be addressed by the Prime Minister, and nobody else.

SHRI DIPANKAR MUKHERJEE: What is the credibility of this Government?

उपसभापति : अच्छा, अब जेठमंलानी जी को बोलने देंगे या नहीं?*...(Interruptions)... He* is a Member of this House. *...(Interruptions)...* Mr. Jethmalani wants to say something. Don't you want him to speak? He is a Member of this House. *...(Interruptions)... He* has a right to speak. Mr. Jethmalani.

SHRI RAM JETHMALANI (Maharashtra) : Madam, I wanted to make a personal request to my friend that whatever is the heat generated, I don't think it is right to say that the Law Minister has no credibility. .. *(Interruptions)...* It is not right. It has created a very bad precedent. *...(Interruptions)...* In the heat of the moment, if he had said it, I request you, Madam, to see the record for yourself and expunge the word. *...(Interruptions)...*

SHRI DIPANKAR MUKHERJEE: He has credibility. *...(Interruptions)...*The Leader of the House has credibility, but the Government has no credibility. That credibility has to be reassured. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I would expunge that from the record. If any derogatory remark is made against any Member, I would expunge it. ... *(Interruptions)...*

SHRI M. VENKAIAH NAIDU: I want to say something. In the initial stage of the discussion, I wanted to submit to you; and, rightly, it was reiterated by Pranabbabu. He raised an issue, and the Leader of the House assured the House that he would ask the Law Minister to come and clarify as to what has been the stand of the Attorney-General or the Government before the Supreme Court of India. The Law Minister, as per the suggestion given by the Leader of the House, has come here and clarified as to what exactly happened in the Supreme Court and what was the stand of the Attorney-General. *{Interruptions)* What is this? Madam, they must have some patience. We are not running away from here.

SHRI NILOTPAL BASU: You have created this mess. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: We have not created this mess. For the last ten years you have created this. You want mess. *...(Interruptions)...*

SHRI NILOTPAL BASU: This is simply a*

SHRI RAVI SHANKAR PRASHAD (Bihar) : You are a senior Member and you go on interrupting every timel *...(Interruptions)...*

SHRI NILOTPAL BASU: I am just making an observation and not interrupting. *...(Interruptions)...*

श्री संघ प्रिय गौतम : एक गलत शब्द इन्होंने बोला है *। इसे डिलीट कराइए ...(**व्यवधान**)...

उपसभापति : आप बैठ जाइए ...(**व्यवधान**)....

SHRI NILOTPAL BASU: I want your protection, Madam. I can't utter a single unparliamentary word, कोई भी unparliamentary word मेरे मुंह से नहीं निकला है। मैं चैलेंज करता हूं ...(**व्यवधान**)...

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* Not recorded.

THE DEPUTY CHAIRMAN: Any word, which is unparliamentary, would not go on record. I assure the House. मैं आपको भी एश्यारेंस दे रही हूं कि कोई अनपार्लियामेंट्री वर्ड रिकार्ड में नहीं आएगा।

SHRI M. VENKAIAH NAIDU: Madam, it is an emotive issue. As a Member and as a Minister, I also have my own feelings. When somebody wants to say something in the House, people should not disturb him frequently. I can understand his point of view, and I have respect for him. At the same time, people should try to understand that we should not raise the tempers outside. What I was submitting to you was—I am not going into the details - an issue has been raised and then it has been responded to, as to what was the stand of the Attorney- General before the Supreme Court of India and what was the justification for it. If you want to discuss it, then, a separate notice has to be given, and, under the rules, it has to be discussed. I have no problem. This is the way if democracy has to function.

SHRI NILOTPAL BASU: Can I not laugh at your logic?

THE DEPUTY CHAIRMAN: Let him finish first. Take my permission and laugh as much as you can. I will be too happy if everybody laughs. *...(Interruptions)...*

SHRI NILOTPAL BASU: If the proceedings of the House are conditioned so much by the procedures to the extent that an individual has to take permission from the Chair even to laugh, I will definitely seek that permission. .

SHRI M. VENKAIAH NAIDU: Members definitely have a right to laugh in the House; but the people have the final right to laugh at them. That will happten, of course. It has happened earlier also. *...(Interruptions)...*

SHRI NILOTPAL BASU: How about you? *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: You are nowhere in the assembly. You have not even opened your account. Why do you talk about it? You could not even contest the elections; you didn't have a proposer or a seconder.

My point is very simple. If the House wants to discuss it again - earlier also Ayodhya was discussed--or the March 15 situation, for

that, there is a set procedure. But, in the course of raising an issue, if derogatory comments are made against the Government, we are not here to keep quieL I can't keep quiet, I am telling you. They can't make sweeping allegations against the Government; after all, the people have given a verdict in our favour. We are the ruling combine here. We are ruling the country and we will go to the people of the country at the appropriate time. Let the people take a final decision. If every time they go on cursing like this and using all sorts of abusive charges against us, the Chair should protect us. Otherwise, we will try to protect ourselves on this.

Madam, Ayodhya is an emotive issue. Crores of people in the country are looking towards both Houses of Parliament as to what is being said on it. Let us not say anything which would create problems outside. This I want to put on record. We have our own feelings.

SHRI NILOTPAL BASU: I totally agree with Shri Venkaiah Naidu, but they have betrayed the NDA Agenda. *...(Interruptions)...*

श्रीमती सरला माहेश्वरी : 15 तारीख से देश में संकट पैदा करना चाहते हैं...(**व्यवधान**)...

उपसभापति : इनको बोलने दीजिये फिर आगे जो होगा, कर देंगे। ...(**व्यवधान**)...

SHRI CHO. RAMASWAMY (Nominated) : Madam Deputy Chairperson, thank you for the opportunity. I think, the matter is very clear. The Government made a commitment that the *status quo* would be maintained and that the court's verdict would be honoured. If they go back on that verdict, then there could be an issue. While giving the Government's opinion in the court, the Attorney General has said, obviously from what has been reported over here, that the performance of the token pooja would not alter the *status quo.* That seems to be the opinion of the Government. The Government didn't seek permission to alter the *status quo.* The Government only said that in its view, by a reading of the 1994 judgment, the *status quo* would not be altered by the grant of permission for token pooja in a part of the acquired plot. That seems to be the Government's legal position.

The Government has not changed its political commitment. It is still honouring what it told the House-the court's verdict would be honoured. So, I don't think there is any problem at all. If the Government had given a

new interpretation and said that it was going to amend the Acquisition Act to allow whatever the Government wants to do, then there could be a problem. It has not done that. So, I think, there is no violation of the commitment made by the Government and the matter should be left at that.

THE DEPUTY CHAIRMAN: What is the question before the House now? I would ask Shri Jaitley to respond. *...(Interruptions)...*

SHRI ARUN JAITLEY: A series of issues have been raised which require a response. *...(Interruptions)...*

SHRI NILOTPAL BASU: We were under the impression that the Prime Minister had given a commitment to the nation that it would not side with any party. They have impleaded, unfortunately, on behalf of one particular disputing party. Therefore, it has broken that assurance. What were the circumstances in which the Government has broken the solemn assurance given by the Prime Minister? The Prime Minister has got to explain the position. We are clear on this. We don't accept anything else. ... *(Interruptions).* .He had said that the Government would not side with anybody. The Prime Minister has to come here. *...(Interruptions)..*

श्रीमती सरला माहेश्वरी : कोर्ट में अपनी राय में यह कहा **...**(**व्यवधान**) यहां यह कह रहें है ...(**व्यवधान**)...हमारे सामने प्रधानमंत्री ही इस बात को क्लीयर कर सकते हैं ...(**व्यवधान**)...

THE DEPUTY CHAIRMAN: I am not saying that you can't demand the Prime Minister's coming here; but, I am not a magician who can produce anything with a magic wand. Let the Government respond. I have conveyed your wish to the Government. I have conveyed it to the Leader of the House and Mr. Pramod Mahajan, the Minister of Parliamentary Affairs, who was here. *...(Interruptions)..*

THE DEPUTY CHAIRMAN (CONTD.) In the meanwhile, the House cannot run in vacuum. *...(Interruptions)..*

SHRI NILOTPAL BASU: Yes, Madam, the House cannot run in vacuum. *...(Interruptions)..* Let the House be adjourned till the Prime Minister comes.... *(Interruptions)..* What is the problem in it?

THE DEPUTY CHAIRMAN: The Parliamentary Affairs Minister was here, and I had conveyed your request to him. I am quite sure he would convey it to the Prime Minister. *...(Interruptions)...* But, in the meanwhile, the House cannot run in vacuum. *...(Interruptions)...*

SHRI NILOTPAL^ BASU: That is why the House may be adjourned. (Interruptions)

THE DEPUTY CHAIRMAN: If you want, I can adjourn the House. But ... *(Interruptions)..* .SHRI NILOTPAL BASU: The House cannot work in turmoil. ... *(Interruptions)...* The House may be adjourned. *...(Interruptions)...* Let the Prime Minister come first. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Law Minister, are you going to speak on behalf of the Prime Minister? *...(Interruptions)...*

SHRI ARUN JAITLEY: No, Madam. I am going to speak on behalf of the Government. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: You give the clarification, but the demand to call the Prime Minister remains there. Okay? *...(Interruptions)...*

SHRI NILOTPAL BASU: Let the Prime Minister come first. Till then, the House may be adjourned. *(Interruptions)* This is a very serious question. *...(Interruptions)...* The assurance was given by the Prime Minister. *...(Interruptions)...*

श्री एस.एस. अहलुवालिया : मैडम, सरकार के कानून मंत्री जवाब दे रहे हैं और अगर वे अटल बिहारी जी का वक्तव्य चाहते हैं ...(**व्यवधान**)...

SHRI NILOTPAL BASU: Adjourn the House, Madam. *...(Interruptions)...The* Prime Minister can come later on. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Let him answer. *...(Interruptions)...*Do you know with whom are my sympathies? Mr. Panda. We interrupted his speech on the request of Shri Pranab Mukherjee, and he sat down. Let the Law Minister clarify and then I will adjourn the House for the day. *...(Interruptions)... Let* him clarify. *...(Interruptions)...Lei* the Law Minister clarify. *...(Interruptions)...*

SHRI DIPANKAR MUKHERJEE: No, Madam. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I promise that I will adjourn the House, but first let him clarify. *...(Interruptions)...*

SHRI NILOTPAL BASU: No, Madam. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I promise that I will adjourn the House, but first let him clarify. *...(Interruptions)...*

SHRI NILOTPAL BASU: No, Madam. The Prime Minister should be called first. *...(Interruptions)...* The reply should be given by the Prime Minister *...(Interruptions)...* Nobody else can give the reply. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Certain questions have been put to him. Let him answer those questions. *...(Interruptions)...*

श्री नीलोत्पल बसु : मैडम, इस सरकार की नीयत साफ नहीं है। ...(**व्यवधान**)...

श्री दीपांकर मुखर्जी : हमें नीयत पर शक है, सरकार की नीयत पर शक है। ...(**व्यवधान**)... यह प्रधान मंत्री आकर क्लैरीफाइ कर सकते हैं। ...(**व्यवधान**)...

उपसभापति : मेरी नीयत पर भी शक है?

श्री नीलोत्पल बसु : मैडम, आप की नीयत एकदम साफ है। इसलिए आप हाउस एड्जॉर्न कर दीजिए और प्रधान मंत्री को बुला लीजिए। ...(**व्यवधान**)...

THE DEPUTY CHAIRMAN: I promise that I will adjourn the House, but first let him clarify *...(Interruptions)...*

SHRI NILOTPAL BASU: The Government has *...(Interruptions)...in* the Supreme Court. That is the real issue. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Basu, do you *...(Interruptions)...*

SHRIMATI SARLA MAHESHWARI: Madam *...(Interruptions).,.*

THE DEPUTY CHAIRMAN: At least the ladies should listen to the lady sitting on the Chair *...(Interruptions)...*So, Mr. Nilotpal Basu, do you trust me or not?

SHRI NILOTPAL BASU: Absolutely, Madam.

THE DEPUTY CHAIRMAN: Okay. My request is that you put certain questions to him. Let him clarify, and, then I will adjourn the House *...(Interruptions)..A* am giving you an assurance from the Chair *...(Interruptions)...* I am giving you an assurance from the Chair *...(Interruptions)...*

SHRI NILOTPAL BASU: Madam, the point here is that an assurance was given by the Prime Minister...*interruptions)*

THE DEPUTY CHAIRMAN: Please, let him clarify *...(Interruptions)...* I will adjourn the House, I promise you ... *(Interruptions)...* Let him clarify *...(Interruptions)... Now,* Mr. Minister, you please speak.

SHRI NILOTPAL BASU: We won't allow him. He cannot clarify *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I will adjourn the House ...*(Interruptions)...* Let him clarify.

SHRI NILOTPAL BASU: It is not possible. An assurance was given by the Prime Minister *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Basu, do you trust me or not?

SHRI NILOTPAL BASU: Madam, we trust you, but we want *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Okay. I will adjourn the House for one hour. In the meantime, we will try to get the Prime Minister. Is that okay? You should have allowed him to give clarifications...*(Interruptions)...* Now, I will adjourn the House for one hour. So, we wUI be meeting after one hour.

The House then adjourned at seventeen minutes past three of the clock.

The House reassembled at fifteen minutes past four of the clock,

THE DEPUTY CHAIRMAN in the Chair.

SHRI PRANAB MUKHERJEE (West Bengal): Madam Deputy Chairperson, with your permission, I would like to invite the attention of the House. On a particular aspect, as all of us are aware that the House got adjourned without transacting any business at 3.15 p.m. for one hour. A section of the House wanted to have a statement from the Prime Minister explaining the position of the Government and its policies with regard to the construction of the temple or performing *'puja'* on the disputed land. The doubt arose despite the explanations provided by the Law Minister and the Leader of the House, because the Attorney-General who represented the views of the Government in the court stated certain things, wherein it appeared clearly that the Government wanted to convey to the court that as per their interpretation, the symbolic *'puja'* would not alter the *status quo.* However, the order of the Supreme Court is quite clear that no activity should be permitted. Therefore, the court's order Is clear and the Government's acceptance of the court's order is also clear. We are not going to dispute on that point. If the Government does not accept it, it will be clear on 15th March. But as it is today, when the Leader of the House clearly states that the Government is bound by the order of the Supreme Court, despite whatever be the feelings or experiences of others, let us assume that the Government will stick to whatever it is .saying. But the question arises - for which the hon. Members are agitated and wanted to have a statement from the Prime Minister - whether the views expressed through the Attorney-General to the Bench of the Supreme Court does not reflect the Government's vacillating stand. And, it was considered by a section of the House that the Prime Minister should come and explain the position to the House. As we could not agree on that note, the House was adjourned for one hour. Therefore, through you, Madam, I would like to know from the Leader of the House whether the Prime Minister would make a statement about the position, on this issue tomorrow, on the floor of the House. We are aware that tomorrow is Thursday, which is the Prime Minister's question day in this House. Normally, the Prime Minister comes to this House on that day to reply to the questions, but we would like to know as to whether he would make any statement on this issue.

THE LEADER OF THE HOUSE (SHRI JASWANT SINGH): Madam, I think, day-before-yesterday, this House has had an exhaustive and a detailed discussion on the Ayodhya issue. I do not want to repeat that point because the hon. Members of the House are well within their rights to have any discussion all over again.

Secondly, Madam, so far as the Government's position is concerned, there is no ambiguity. There are two aspects on which the Government remains committed. One, we will not alter the *status quo* and two, we shall abide by the directions^ of the court. Whatever the court says is the law of the land, and we shall abide by that. I think, that is what the hon. the Law Minister was attempting to explain. I would still urge the hon. Members to, at least, listen to him. He has only got two or three minutes' intervention to make. And I would request you also, Madam, to request Members to listen to him. The Government remains committed in maintaining the *status quo.* With regard to the interpretation of the *status quo* of the 1994 ruling, the Attorney-General, when being asked by the court, said, "By his interpretation, it is permissible to have a token *'puja'* with conditions, etc., etc. The Court said: "No, not permitted." That is the law; that is the ruling of the Court, and that is what the Government shall abide by. The hon. Member, Shri Pranab Mukherjee, has said: "We will see what happens." I wish to assure the hon. Member, Shri Pranab Mukherjee, that we are committed to ensuring that this is what will happen. There will be no violation of the Court's order on the 15th. This is absolutely clear. The only point on which there was a difference of opinion was that the Prime Minister should come and make a statement. I cannot demand of the Prime Minister to come and make a statement. I have clarified the position. I have a role to perform in this House, Madam. I do have a duty and an obligation also. I will try to do my best towards the House. The hon. Members are entirely justified in saying: "No, that is not enough. We want the Prime Minister." The Law Minister, on behalf of the Cabinet, has also tried to explain the position, and he still wants to add a few things.

So far as the Prime Minister is concerned, he will be coming to the House tomorrow. The matter can, of course, be raised again, and I have to leave it to the Prime Minister's judgment whether he responds then, in the light of what has happened, or, in the light of what has happened in the rest of the day also. You would appreciate that it is very difficult for me, leave alone the Prime Minister, to order any other Cabinet Minister: "Change your whole day's programme and do exactly as I say." The Prime Minister has some commitments, which are made in advance. On account of those commitments, he is unable to be present in the House today. I know that he has to come tomorrow. If this issue is raised tomorrow, it is up to him, whether he responds to it or not. That is the best I can do under the circumstances.

SHRI NILOTPAL BASU: Madam, I would like to submit one thing. *...(Interruptions)...*

श्री संघ प्रिय गौतम : अब कोई बात नहीं रह गई है ...(**व्यवधान**)...

श्री नीलोत्पल बसु : आप तो तय नहीं करोगे कि क्या रह गया है, क्या नहीं रह गया है ...(**व्यवधान**)...

श्री नीलोत्पल बसु : हजार बार बोलेंगे, पूरा दिन बोलेंगे और हमारी बात सुनने की जिम्मेदारी सरकार की है ...(**व्यवधान**)...

THE DEPUTY CHAIRMAN: Mr. Nilotpal Basu, you look at me and speak. You address the Chair *...(Interruptions)...*

SHRI NILOTPAL BASU: Madam, we have heard the lengthy explanation given by the Leader of the House. *(Interruptions)* It was quite lengthy. Now, the issue which we have raised in this House is that the Prime Minister had given a solemn assurance to the country that they will not be a party to the dispute. Now, we do not know when and how the Government has taken the decision to send the Attorney-General. What we undeFStand is that this Government was elected by the people of this country, and they had given a solemn assurance to the people of this country to abide by the Election Manifesto, on the basis of which they have come to powerयह बताना जरुरी है क्यों कि 12 मार्च की डेट प्राईम-मिनिस्टर ने दे रखी थी, वह हमारे कहने पर नहीं दि थी।

श्री प्रमोद महाजन : बार-बार वही बात कह रहे हैं ...(**व्यवधान**)...

SHRI NILOTPAL BASU: The Government has legitimised the VHP in their extremely illegal demands that they were making. Therefore, what we are saying is that it is a question of restoring the credibility of the system, and since no less a person than the Prime Minister had given a solemn assurance to the nation that the Government will not side with any of the disputing parties, therefore, we think that the Attorney-General's presence in the Court to plead to allow puja on 15th March, and also giving a time schedule, is a violation of that assurance. We do not know as to how many people will go to that area? *...(Interruptions)...*

SHRI PRAMOD MAHAJAN: Madam, the Law Minister must be allowed to speak. Otherwise, what happens" every time is that the Opposition discusses the whole issue, and then they say that, they do not want to listen to the Law Minister. *...(Interruptions)...*

THE DEPUTY, CHAIRMAN: In fact, I wanted to allow him even before.

SHRI PRAMOD MAHAJAN: It has happened in the afternoon also. The same points were raised, and when the Law Minister stood up to reply, on behalf of the Government, he was denied permission to do so. *...(Interruptions)...*

SHRI NILOTPAL BASU: Therefore, the Government has violated the promise that they have made. *...(Interruptions)...*

SHRI PRAMOD MAHAJAN: The Government has not violated anything. The Prime Minister stood by what he has said. *...(Interruptions)...*

SHRI NILOTPAL BASU: That is your understanding. Our understanding is not like that. *...(Interruptions)...*

SHRI PRAMOD MAHAJAN: I cannot help it out if somebody does not understand. *...(Interruptions)...*

SHRJ NILOTPAL BASU: They want to restore the credibility of this Government. *(Interruptions)*

SHRI PRAMOD MAHAJAN: Everything was spoken here. We understand everything. *...(Interruptions)...* You do not worry about our Allies. We will take care of them. ... *(Interruptions)..* .You don! worry about my Allies. *...(Interruptions)...*You are worried about my Allies; you are worried about my manifesto. Then, join my Party and take care of all these things! *...(Interruptions)...*You worry about your Allies; you worry about your manifesto. I will take care of my manifesto and my Allies. You don't have to worry about that. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Basu, will you, please, sit down now? ,..*(Interruptions)...*You made a statement. That is enough. *..(Interruptions)...*

SHRI PRAMOD MAHAJAN: He is supposed to speak about my manifesto. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: The Law Minister.

SHRI NILOTPAL BASU: No, Madam.

THE DEPUTY CHAIRMAN: I permitted him, and I will allow him.

SHRI NILOTPAL BASU: No, we cannot allow all this to go on.

THE DEPUTY CHAIRMAN: This is not the way. *...(Interruptions)...*

SHRI M. VENKAIAH NAIDU: Madam, what is this? When the Chair says something, he says 'no'! *...(Interruptions)...*

SHRI NILOTPAL BASU: Madam, we don't accept this position.

SHRI M. VENKAIAH NAIDU: Who is he to accept? *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Basu, you are a very senior Member of this House. I say I have permitted it. If you are in the Chair -and you are on the panel of the Vice-Chairmen - and if I sit there and say 'no' to you, will you accept that? *...(Interruptions)...* Let us listen to him, and, then, I will adjourn the House.

SHRI NILOTPAL BASU: No, Madam.

THE DEPUTY CHAIRMAN: No; this is not fair. *...(Interruptions)...*

SHRI NILOTPAL BASU: We do not want to have a political stalemate on this. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: I do not agree with you. *...(Interruptions)...* You have to respect the ruling of the Chair. I have allowed him, because you have made a lot of comments, and he has a right to speak. Then, I will adjourn the House. Let it come on the record. *...(Interruptions)*...I will adjourn the House afterwards. *...(Interruptions)*....No,

no; I will adjourn the House. ...*(Interruptions)..Mo,* please. I will adjourn the House.

- SHRI P.N. SIVA (Tamil Nadu) : The House is under the control of the Chair. They can't dictate to others. ...*(Interruptions)...* They cannot dictate to the House. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN: Yes. ... *(Interruptions)...* I want to hear him. Mr. Law Minister, you, please, speak.

SHRI NILOTPAL BASU: We cannot accept this. You can name us.

THE DEPUTY CHAIRMAN: I am not naming anybody. I am not in the habit of naming anybody. ...*(Interruptions)...*

SHRI NILOTPAL BASU: It is not acceptable. The whole country knows what the position of the Government was, and they have now reversed the position. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Nilotpal Basu, please take your seat. ...*(Interruptions)...Mr.* Nilotpal Basu, I have told you in the afternoon, and I have also given you an assurance, that I will adjourn the House, but you should hear him.... *(Interruptions)...* Let him speak. ...*(Interruptions)...*

SHRI NILOTPAL BASU: We want the Prime Minister. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN: I have never worked under pressure, and I am not going to work under pressure. ...*(Interruptions)...*

SHRI NILOTPAL BASU: We want an assurance from the Prime Minister. We have not asked for adjourning the House. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN: I am not under your direction. The House runs under the direction of the Chair; it is not that the Chair runs under the direction of a Member! Let him speak, and, then, you do what you like. Please speak, Mr Jaitley.

SHRI DIPANKAR MUKHERJEE: Madam, we have not sought any clarification from the Law Minister.

THE DEPUTY CHAIRMAN: You did. I am the witness. *...(Interruptions)...*

SHRI ARUN JAITLEY: Madam, this is quite unprecedented. In the pre-lunch hour, a request was made that I might come before the House and make a statement. I came; I made the statement. Questions are raised on the basis of my statement. And why should I be denied the right to reply to those questions? *...(Interruptions)...*

THE DEPUTY CHAIRMAN: This is the procedure of the House. *...(Interruptions)...* This is the procedure of the House. *...(Interruptions)...* Please sit down. This is the procedure of the House. When a *suo motu* statement is made, on the request of the Chief Whip of the House, he came, and he spoke. Okay? *...(Interruptions)...* He made a statement on which everybody' made certain comments. It is his right. As per the tradition of Rajya Sabha, he should answer. After he answers, I will adjourn the House.

SHRI NILOTPAL BASU: No, Madam. The Prime Minister also gave certain assurances.

THE DEPUTY CHAIRMAN: No; Prime Minister is not my responsibility. *...(Interruptions)...* Prime Minister is not my responsibility. I have conveyed it to the Leader of the House. I have conveyed it to the Law Minister. *...(Interruptions)...* No, no, rj. I will adjourn the House. Let him speak what he wants to. *...(Interruptions)...* The Law Minister. *...(Interruptions)...* Nothing else is going on record. *...(Interruptions)...* Let him speak and, then, I will adjourn the House. *...(Interruptions)...*

SHRI ARUN JAITLEY: Madam, there are two issues, which have been raised, which I wish to respond to. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Nothing will go on record. *...(Interruptions)...*There is no point in shouting *...(Interruptions)...* Nothing will go on record, except the Law Minister's clarification. ... *(Interruptions)...* Then I will adjourn the House. ... *(Interruptions)..* .This is a commitment. *...(Interruptions)...*

SHRI ARUN JAITLEY: Madam, there are two issues, which have been raised, which I wish to respond to. *...(Interruptions)...The* first issue, which I clarified in the morning and which has again been raised *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Only his words will go on record. *...(Interruptions)...* Nothing else will go on record *...(Interruptions)...*

SHRI ARUN JAITLEY: ...is as to why the Attorney - General has gone to the Supreme Court to make the statement. *...(Interruptions)...* Madam, I have already clarified.that the Government of India is a party in the petition that was filed before the Court. *...(Interruptions)...*The Attorney General was representing the Government of India. *...(Interruptions)...When* the Attorney - General was asked for his views by the Court, the Attorney - General was obliged to respond to the Court. *...(Interruptions)...*Therefore, the Attorney - General responded to the Court and gave his interpretation of what he thought was the judgement in Farooqi's case of 1994. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Please.... *(Interruptions)..* .Please.

SHRI ARUN JAITLEY: Madam, the second question, which has been raised, and I find it absolutely strange that this issue should have been raised, is whether the view of the Attorney - General assisting the Court, ... *(Interruptions)...* what he interpreted to be the correct view in Farooqi's case, amounts to the Government going back on the NDA Agenda *...(Interruptions)...* or the Government going back on what is stated in the President's Address. *...(Interruptions)...* Madam, the Government has very clearly stated in the NDA Agenda that the issue of Ayodhya would be resolved either by the court or through negotiations. *(Interruptions)...* The NDA Government, led by Shri Vajpayee, stands by every word that has been stated in the NDA Agenda. *...(Interruptions)...*

THE DEPUTY CHAIRMAN: Let me hear him. *...(Interruptions)...*

SHRI ARUN JAITLEY: There has been an effort to resolve the issue through negotiations. *...(Interruptions)...* Unfortunately, the negotiations did not result in much success. *...(Interruptions)...*Thereafter, we go to the second part of the NDA Agenda, that the matter can only be resolved by

the court. ...*(Interruptions)...* There was a judgement of the Court in 1994. Pursuant to that judgement of 1994. certain rights and obligations had arisen. ... *(Interruptions)...* There are organisations like the Ram Janmabhoomi Nyas that has asked the Government to comply with the obligations arising out of the 1994 judgement. ... *(Interruptions)..* .There is also an order of the Court which is passed today. ...*(Interruptions)...When* the Government is asked whether, in its view, in terms of the 1994 judgement, ...*(Interruptions)...*the *status quo* order will be violated, if a token *puja* is allowed, the Attorney - General said, "The.*status quo* will not be violated". There is absolutely no violation either of the NDA Agenda or the President's Address by the Attorney - General assisting the Court. The Attorney - General is bound to state what is considered to be the correct position. ... *(Interruptions)...* This is not an issue on which the Opposition can have any objection. ...*(Interruptions)...*Thank you, Madam.

THE DEPUTY CHAIRMAN: The House stands adjourned till 11 o'clock tomorrow.

The House then adjourned at thirty-three minutes past four of the clock, till eleven of the clock on Thursday, the I4^{m} March, 2002.

MGIP(PLU)MRND—1464RS—12-8-2002.